

Existing law (R.S. 17:3972(B)) provides relative to the purposes of the charter school law. States that it is not the purpose of such law to permit charter schools to be established as a way to keep open existing public schools that would otherwise be closed. Provides, however, that such a circumstance shall not prevent approval of a proposed charter school that otherwise fulfills the purposes of existing law.

New law retains existing law and adds that in addition to the requirement that a proposed charter school otherwise fulfill the purposes of existing law for approval, the proposal for such school must also clearly demonstrate that the educational program proposed to be offered will improve the achievement levels of the students enrolled at the school.

Existing law (R.S. 17:3973) provides for definitions. Defines a "type 2" charter school as a new school operated through a charter between a nonprofit corporation and BESE. Provides that pupils who reside within the state will be eligible to attend as provided in the charter. Requires that creation of a type 2 charter school shall comply with provisions that require submitting the charter proposal to the local school board, and, if the local board denies the proposal or places unacceptable conditions on approval, allows submission to BESE for approval.

New law retains existing law except includes in definition the conversion of a preexisting public school. Also adds a requirement that prior to the creation of such a charter to convert a preexisting school, such charter shall be approved by the professional faculty and staff of the preexisting school and by the parents or guardians of children enrolled in the school as provided in existing law for other charters for converted schools.

Existing law (R.S. 17:3982) provides for the duties of local school boards as it relates to charter schools. Specifies certain review procedures that local school boards must follow relative to proposed charters.

New law retains existing law and adds to such duties that local school boards shall make available to chartering groups any vacant school facilities or any facility slated to be vacant for lease or purchase at fair market value. Provides that in the case of a type 2 charter school created as a result of a conversion, all property within the existing school shall also be made available to that chartering group under similar terms. Further provides that if such facilities were constructed at no cost to the local school board, then such facilities including all equipment, books, instructional materials, and furniture within such facilities shall be provided to the charter school at no cost.

Existing law (R.S. 17:3991(B)(1)(a)) provides relative to pupil population requirements for type 1 and type 2 charter schools (new schools). Provides that the percentage of at-risk pupils in such schools (at-risk based upon eligibility for the federal free or reduced lunch program) must equal at least 85% of the percentage of such students in the local school district where the school is located and that the remaining number of pupils required in order to have the percentage of at-risk pupils in the charter school be the same as the district percentage of pupils eligible to participate in the federal free and reduced lunch program may be comprised of pupils who are at risk by virtue of being in one of the additional categories provided in existing law.

New law retains existing law but specifies that existing law applies to type 1 and type 2 charter schools which are created as new schools.

Existing law (R.S. 17:3991(B)(1)(b)) provides relative to pupil population

requirements for type 3 and type 4 charter schools (preexisting schools converted to charter schools). Provides that the percentage of at-risk pupils (by reason of eligibility to participate in the free or reduced lunch program) in type 3 and type 4 schools must be the same as such percentage in the school prior to the conversion, unless otherwise agreed to by the local school board.

New law retains existing law but includes, in addition to type 3 and type 4 charter schools, type 2 schools which are created as a result of a conversion and changes reference to "local school board" to "chartering authority".

Prior law (R.S. 17:3983(A)) provided relative to the chartering process. Included in such process that a proposal for a type 3 charter school could be made to and considered by a local school board only. Provided that if such board denied such proposal or provided for unacceptable conditioning of such proposal, then the chartering process would end.

New law repeals this provision, thus permitting a type 3 school proposal to be made to BESE.

Effective August 15, 1999.

(Amends R.S. 17:3972(B)(2), 3973(2)(b)(ii), 3982, and 3991(B)(1); Repeals R.S. 17:3983(A)(2)(a)(ii))